

JP:WES

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-09-543

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 18 U.S.C. § 1546)

SUKHWINDER SINGH,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Michael Crespo, being duly sworn, deposes and states that he is a Special Agent with the Department of State ("DOS"), duly appointed according to law and acting as such.

Upon information and belief, on or about December 11, 2007, within the Eastern District of New York, the defendant SUKHWINDER SINGH did knowingly and willfully use and attempt to use a United States visa that was procured by means of a false claim or statement and otherwise procured by fraud and unlawfully obtained.

(Title 18, United States Code, Section 1546)

The source of your deponent's information and the grounds for this belief are as follows:¹

¹ Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause, I have not set forth all the facts and circumstances of which I am aware.


1. My information comes from a joint investigation of the DOS and the United States Customs and Border Protection agency ("CBP"). I have spoken with CBP agents, interviewed the defendant and reviewed documents.

2. On June 2, 2009, at approximately 7:00 a.m., the defendant SUKHWINDER SINGH's wife, Raj Kaur, arrived at J.F.K. International Airport on a flight originating from New Delhi, India. Raj Kaur was selected for secondary inspection by CBP Officers. During the review of Raj Kaur's documents, CBP Officers determined that the defendant SUKHWINDER SINGH had previously entered the United States and overstayed a B1/B2 visa, Visa Foil No. 86130379, issued by the United States Department of State Bureau of Consular Affairs on February 20, 2007, and expiring February 19, 2008. In addition, CBP Officers determined that the defendant SUKHWINDER SINGH had entered the United States by using his visa on April 2, 2007 through J.F.K. International Airport, left the United States on September 23, 2007, and reentered the United States by using his visa on December 11, 2007 through J.F.K. International Airport.

3. CBP Officers then stopped the defendant SUKHWINDER SINGH, who was waiting for his wife at Terminal 4. After receiving notification from CBP, I questioned the defendant SUKHWINDER SINGH. He told me that he owned an electronics business in India but was in debt. He also told me that prior to February 20, 2007 a friend of his told him that he would be

unable to obtain a visa for travel to the United States if he listed his true occupation on his application for the visa. He added that his friend provided him with fake documents claiming that he was a jeweler to include with his application for a visa. He further told me that while in the United States, he has been working in construction to pay his debts in India, and that he intended to stay in the United States for several more years.

4. WHEREFORE, your deponent respectfully requests that the defendant SUKHWINDER SINGH, be dealt with according to law.




Michael Crespo
Special Agent
United States Department of
State

Sworn to before me this
3rd day of June, 2009



Unit
East

S/Mann



Judge
York